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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/956,899	09/21/2001	Takahiro Matsumura	990377D	3459

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EXAMINER
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IQBAL, KHAWAR

ART UNIT	PAPER NUMBER
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2686

DATE MAILED: 06/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/956,899

Applicant(s)

MATSUMURA, TAKAHIRO

Examiner

Khawar Iqbal

Art Unit

2686

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 31 March 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 13 and 15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 13 and 15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 205 9-21-2001
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 13,15 rejected under 35 U.S.C. 103(a) as being unpatentable over Naoki et al (JP 09-259391) and further in view of Urabe (6125282).

3. Regarding claim 13,15 Naoki et al teaches an apparatus comprising (fig. 1):  
an information processing apparatus having a plurality of different (analog, digital A and digital B) communication (para. # 0012-0014, 0025-0026, 0047-0049 and 0052);  
controlling applications (para. # 0012-0014, 0025-0026, 0047-0049 and 0052); and

a processing apparatus operatively coupled between a communication equipment and said information processing apparatus said processing apparatus including (para. # 0012-0014, 0025-0026, 0047-0049 and 0052),

an identifying part configured to identify a type of the communication equipment and to output an identification signal corresponding to the identified type of the communication equipment, said type of communication equipment including a mobile (fig. 1 element 4) communication (para. # 0012-0014, 0025-0026, 0047-0049 and 0052); and

a switching part configured to switch the communication protocol prestored for each type of the communication equipment, based on the identification signal (page 2, para. # 0007, page # 5, para. 0029).

wherein said information processing apparatus selects (analog or digital) a communication controlling application (analog or digital) based on the identified type of the communication equipment (page 2, para. # 0007, page # 5, para. 0029).

Although Naoki et al teaches device 1 is equipped with the interface 18 linked to various telephones (4a-4c). Corresponding to the various telephones installed in the information offer station 6, digital 9600 (1<sup>st</sup> type of protocol) portable telephone 4a, digital 2400 portable telephone 4b and analog type portable telephone 4c (different communication protocols or 2<sup>nd</sup> type of protocol), and other various telephones can be connected to an interface 18. Telephone classification discernment section 1a identifies the classification of the telephone 4 connected to the traffic information communication device 1. If the classification of Telephones 4a-4c sticks for whether being a digital type portable telephone or an analog type portable telephone, it changes the cable linked to an interface 18, and its jack, for example, and can identify by detecting the difference by the detecting signal (para. # 0012-0014, 0025-0026, 0047-0049 and 0052). Naoki et al does not specifically teach Personal Handyphone system (PHS) communication protocol.

In an analogous art, Urabe teaches that digital phones in Japan, such as those taught by Naoki et al, may comprise personal cellular, and PHS phones (col. 1 lines, 12-31). Therefore, it would have been obvious to one of ordinary skill in the art at the time

Art Unit: 2686

the invention was made to modify the device of Bloebaum et al by specifically adding feature Personal Handyphone system to use the system of Naoki et al to identify the digital phones of Urabe, as Urabe states that they are the types of digital phones used in the environment to which Naoki et al is applied.

### ***Response to Arguments***

4. Applicant's arguments filed 3-31-05 have been fully considered but they are not persuasive. The examiner has thoroughly reviewed applications argument but firmly believes the cited references reasonably and properly meets the claim limitation. Applicant argument was that a "Naoki does not teach or suggest wherein said information processing apparatus selects (analog or digital) a communication controlling application (analog or digital) based on the identified type of the communication equipment" as recited in claim 13. In response to applicant' arguments, examiner would like to point out that Naoki et al teaches device 1 is equipped with the interface 18 linked to various telephones (4a-4c). Corresponding to the various telephones installed in the information offer station 6, **digital 9600 (1<sup>st</sup> type of application)** portable telephone 4a, digital 2400 portable telephone 4b and **analog type portable telephone 4c** (different communication protocols or 2<sup>nd</sup> type of application), and **other various telephones** can be connected to an interface 18. Telephone classification discernment section 1a identifies the classification of the telephone 4 connected to the traffic information communication device 1. If the classification of Telephones 4a-4c sticks for whether being a **digital type portable telephone** or an **analog type portable telephone**, it changes the cable linked to an interface 18, and its jack, for example, and can identify

by detecting the difference by the detecting signal. Change-over contact of the change-over switch 20 which performs a change with the sound signal and data signal which are outputted outside is connected to the interface 18 from change-over contact and the traffic information communication device 1 of the change-over switch 19 which performs a change with the sound signal of an analog gestalt and the data signal of a digital gestalt which are inputted from the outside to the traffic information communication device 1 (para. # 0012-0014, 0025-0026, 0047-0049 and 0052).

### ***Conclusion***

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the

Art Unit: 2686


Examiner should be directed to Khawar Iqbal whose telephone number is (571) 272-7909.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Marsha D. Banks-Harold can be reached on (571) 272-7905. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free) or 703-305-3028.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/customer service whose telephone number is (571) 272-2600.

*Khawar Iqbal*

  
**RAFAEL PEREZ-GUTIERREZ**  
**PATENT EXAMINER**  
5/14/05